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<b>FROM:</b>	Charles B. Cappellari Gen-Probe Incorporated Patent Department 10210 Genetic Center Drive San Diego, California 92121 Phone No. (858) 410-8927 Facsimile No. (858) 410-8928	<b>TO:</b>	Examiner: Goldberg, J. Group 1634  U.S. Patent & Trademark Office Facsimile No. (571) 273-8300
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Number of pages (including this cover page): 32

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In re Patent Application of:	) Group Art Unit: 1634	RECEIVED OIE/IAP AUG 11 2005
CUNNINGHAM et al.	) Examiner: Goldberg, J.	
Serial No. 09/954,586	) Confirmation No. 7245	
Filed: September 11, 2001	) Atty. Docket No. GP116-03.UT	
For: COMPOSITIONS, METHODS AND KITS FOR DETERMINING THE PRESENCE OF CRYPTOSPORIDIUM PARVUM ORGANISMS IN A TEST SAMPLE	) Date: August 9, 2005	

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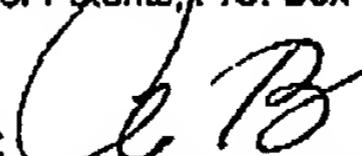
Transmitted herewith are the following documents:

- 1) Transmittal Form PTO/SB/21 (1 pg.);
- 2) Reply Under 37 C.F.R. § 1.111 (26 pgs.);
- 3) Petition for Extension of Time (2 mo.) Form PTO/SB/22 (1 pg. in duplicate - 2 pgs. total); and
- 4) Fee Transmittal Form PTO/SB/17 (1 pg. in duplicate - 2 pgs. total)

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Date: August 9, 2005

By:   
Charles B. Cappellari, Reg. No. 40,937

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09-2005 05:34PM FROM-Gen-Probe Incorporated - Patent Dept.

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T-698 P.002/032 F-944

PTO/SB/21 (09-04)

Approved for use through 07/31/2006, OMB 0651-0031

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**TRANSMITTAL  
FORM**

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Total Number of Pages in This Submission

Application Number

09/954,586

Filing Date

September 11, 2001

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First Named Inventor

CUNNINGHAM et al.

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Art Unit

1634 / Conf. No. 7245

**AUG 09 2005**

Examiner Name

Goldberg, J.

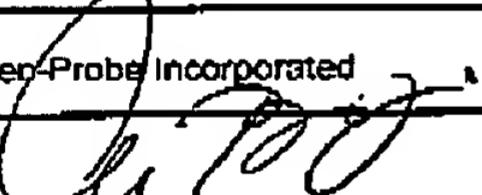
Attorney Docket Number

GP16-03.UT

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
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<input type="checkbox"/> Reply to Missing Parts/ Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		
<b>Remarks</b>		
Please charge any fees due in connection with this Reply, including the fee for a two-month extension of time, to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Gen-Probe Incorporated		
Signature			
Printed name	Charles B. Cappelari		
Date	August 9, 2005	Reg. No.	40,937

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Signature			
Typed or printed name	Charles B. Cappelari	Date	August 9, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)  
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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

**FEE TRANSMITTAL  
For FY 2005** Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

(\$)

**Complete if Known**

Application Number	09/954,586
Filing Date	September 11, 2001
First Named Inventor	CUNNINGHAM et al.
Examiner Name	Goldberg, J.
Art Unit	1634 / Conf. No. 7245
Attorney Docket No.	GP116-03.UT

**METHOD OF PAYMENT** (check all that apply) Check  Credit Card  Money Order  None  Other (please identify): \_\_\_\_\_ Deposit Account Deposit Account Number: 07-0835 Deposit Account Name: Gen-Probe Incorporated

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**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES**Fee Description

Each claim over 20 (including Reissues)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	
				Fee (\$)	Fee (\$)
101	- 20 or HP = 0	x 0	= 0	50	25
HP = highest number of total claims paid for, if greater than 20.				200	100

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
2	- 3 or HP = 0	x 0	= 0

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(c)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

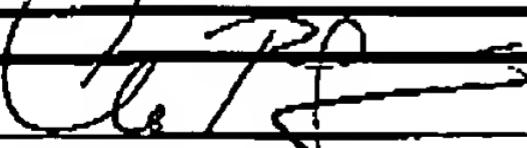
**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 2 Mo. Extension of Time

Fee Paid (\$)

450.00

SUBMITTED BY		Registration No. (Attorney/Agent) 40,937	Telephone (858) 410-8927
Name (Print/Type)	Charles B. Cappellan	Date August 9, 2005	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO-854 (2-24-02)

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

## Complete if Known

Application Number	09/954,586
Filing Date	September 11, 2001
First Named Inventor	CUNNINGHAM et al.
Examiner Name	Goldberg, J.
Art Unit	1634 / Conf. No. 7245
Attorney Docket No.	GP116-03.UT

## METHOD OF PAYMENT (check all that apply)

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| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 | <input checked="" type="checkbox"/> Credit any overpayments                       |

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## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity	Fee (\$)	Small Entity	Fee (\$)	Small Entity	
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

## 2. EXCESS CLAIM FEES

## Fee Description

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Multiple dependent claims

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101	- 20 or HP = 0	x	= 0	50	25
HP = highest number of total claims paid for, if greater than 20.				200	100
Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	360	180
2	- 3 or HP = 0	x	= 0		
HP = highest number of independent claims paid for, if greater than 3.					

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- 100 =	/ 50 =	(round up to a whole number) x	=	

## 4. OTHER FEE(S)

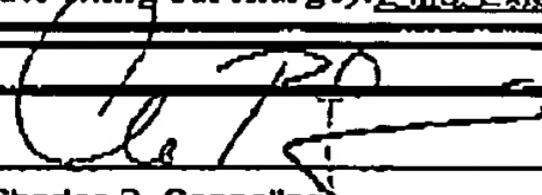
Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): 2 Mo. Extension of Time

Fees Paid (\$)

450.00

## SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 40,937	Telephone (858) 410-8927
Name (Print/Type)	Charles B. Cappellan		Date August 9, 2005

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